

**NON CONSENT
ITEM 4**

**ORLANDO, FLORIDA
April 29, 2003**

The School Board of Orange County, Florida, met in regular meeting on Tuesday, April 29, 2003 at 5:33 p.m. Present were: Judge Richardson Roach, chairman; Karen Ardaman, vice chairman; Susan Landis Arkin, Timothy Shea, Joie Cadle, Kathleen B. Gordon, Berton R. Carrier (left at 9:50 p.m.), school board members; Patrick L. Herron, chief facilities officer; Frank C. Kruppenbacher and Andrew B. Thomas, school board attorneys; and Ronald Blocker, superintendent.

The Pledge of Allegiance followed a moment of silence.

The chairman announced that any individual who would like to address an item on the agenda could do so by completing the appropriate form at the board table.

Special Report – Fire and Life Safety

Mr. Blocker introduced Rick Harris, senior director safety and security Services and Dr. Patrick Herron, chief facilities officer.

Mr. Harris presented a chronological overview, clarified lists (List 1 – action plan responses based on July 25, 2002 letter; List 2 – district’s Annual Comprehensive Safety Inspection Report; and List 3 – Orange County Fire and Rescue Update) and outlined current and previous actions in the district’s life safety action plan.

Dr. Van Mitchell, principal of Colonial High and Suzanne Ackley, principal of Brookshire Elementary, addressed the issue of the importance of safety at the school level and steps taken to ensure safety.

Dr. Herron reported on plans for the future and the district’s compliance with safety inspections.

Mr. Blocker stated that there will be ongoing coordination between OCPS key safety personnel and the personnel at County Fire Marshall’s office. The superintendent reiterated that OCPS students are safe and student safety was his number one priority. Mr. Blocker requested the chairman’s approval to contact Orange County Chairman Richard Crotty to schedule a meeting with him and his key staff. Also, a meeting will be scheduled with the State Fire Marshall and his staff to discuss how to proceed.

Mr. Roach stated that he spoke with Chairman Crotty and requested that any letter regarding a life safety theme be sent to every board member in the future.

There was extensive discussion by board members, school board attorney, the superintendent and staff.

The meeting recessed at 7:55 p.m. and reconvened at 8:15 p.m.

Adoption of Agenda: Mr. Blocker requested the following changes to the agenda: an addendum to 1.1 (Request Approval of Personnel Agenda Dated April 29, 2003, Including the

Designation/Creation of Positions to be Filled, the Minimum Job Qualifications for the Positions, Salary Schedules, Appointments, and Terminations of Select Personnel as Shown Thereon); a change to 4.3 (Request Approval of a Resolution Proclaiming April 28-May 2, 2003, as National Charter Schools Week); the withdrawal of 4.4 (Request Approval of the Inter-District Agreement for the Enrollment of Lake County School Board Students in the West Orange County Elementary Charter School); a correction to 11.1 (Request Approval of Direction Regarding Desegregation); and the movement of 8.2 (Request Approval of Public Education Agreement – Wetherbee Acres LTD and Charles A. Long, Jr. and Elizabeth A. Long), 8.7 (Request Approval of the Public Education Agreement – Morgran Company (Morgran)) and 8.8 (Request Approval of the Public Education Agreement – Nicolas E. Andreyev (Palmetto Ridge) to the nonconsent agenda.

The chairman found good cause to amend the agenda as requested.

It was moved by Mr. Carrier and seconded by Mrs. Ardaman that the agenda be approved as amended.

The motion passed unanimously with all board members present voting on it (7-0).

Adoption of Consent Agenda: It was moved by Mrs. Ardaman and seconded by Mrs. Cadle that the consent agenda be approved.

Human Resources and Labor Relations

(Legally Required Board Action)

- 1.1 Request Approval of Personnel Agenda Dated April 29, 2003, Including the Designation/Creation of Positions to be Filled, the Minimum Job Qualifications for the Positions, Salary Schedules, Appointments, and Terminations of Select Personnel as Shown Thereon **(Addendum)**

Approve Student Expulsions

(Legally Required Board Action)

- 2.1 Request Approval of the Expulsion of a Student for the Remainder of the 2002-2003 School Year, Including Summer School and the Entire 2003-2004 School Year, Including Summer School/WC Walker Middle School
- 2.2 Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts

Approve Grant Applications

(Legally Required Board Action)

- 3.1 Request Approval to Submit an Application for the Carol M. White Physical Education Program Grant
- 3.2 Request Approval to Submit a Continuation Grant Application for an Adult Education and Family Literacy – Corrections Education for Criminal Offenders Project
- 3.3 Request Approval to Submit Grant Applications for Career and Technical Education Programs Funded Under the Carl D. Perkins Act
- 3.4 Request Approval to Submit a Grant Application for an Adult Education and Family Literacy – English Literacy and Civics Education Program Funded Under Section 231, Local Activities
- 3.5 Request Approval to Submit an Adult Education and Family Literacy – Geographic Allocation Grant Application
- 3.6 Request Approval to Submit a Petition to Lease Space From Trinity Baptist School for North Learning Community Summer Literacy Institute
- 3.7 Request Approval to Submit a Contract for the North Learning Community With Classwell Learning Group – Classworks, a Sole Source Provider

- 3.8 Request Approval to Submit a Smaller Learning Communities Grant Application to the U.S. Department of Education
- Approve Education Services Related Items *(Legally Required Board Action)*
- 4.1 Request Approval of Agreement With Innovative Sciences Corporation for the 2002-03 School Year
- 4.2 Request Approval of the Delay of the Opening of KOTA Charter School Until the 2004-2005 School Year
- 4.3 Request Approval of a Resolution Proclaiming April 28-May 2, 2003, as National Charter Schools Week **(Changed)**
- 4.4 Request Approval of the Inter-District Agreement for the Enrollment of Lake County School Board Students in the West Orange County Elementary Charter School **(Withdrawn)**
- 4.5 Request Approval to Purchase TSI Educational Consulting Inc. Dr. Marc Levasseur for the 2002-03 School Year
- Approve Work Force Education Issues (None) *(Legally Required Board Action)*
- Approve Curriculum, ESE & Multilingual Services (None) *(Legally Required Board Action)*
- Approve Operations Issues *(Legally Required Board Action)*
- 7.1 Request Approval of Bids to be Awarded – April 29, 2003
- 7.2 Request Approval of Contract With Steelcase Inc. to Furnish and Install Demountable Wall System for Changes Within the Educational Leadership Center
- 7.3 Request Approval for Purchase of a Consolidated Tape Library System From PeakData LLC
- 7.4 Request Approval of Settlement of Worker’s Compensation Claim: Mohamed Rasheed v. Orange County Public School Board
- 7.5 Request Approval to Change the Meal Charge Policy for the 2003-2004 School Year
- 7.6 Request Approval to Remove Outstanding Food Service Meal Charges at the end of Fiscal Year 2002-2003
- Approve Business and Finance Functions *(Legally Required Board Action)*
- 8.1 Request Approval of the Report on Expenditure of Lottery Funds
- 8.2 Request Approval of Public Education Agreement – Wetherbee Acres LTD and Charles A. Long, Jr. and Elizabeth A. Long **(Moved to Nonconsent #6)**
- 8.3 Request Approval of Comprehensive Approach to the High School Construction Program – Apopka High School Replacement, West Orange High School Replacement, West Orange/Apopka High Relief School and Related Budget and Capital Improvement Amendments
- 8.4 Request Approval of Budget Amendment #4 to the Capital Outlay Budget
- 8.5 Request Approval of the Public Education Agreement – RDRS, LLC (Ficquette Road)
- 8.6 Request Approval of the Public Education Agreement – W.A. Smith and Frances W. Smith (Foster Property)
- 8.7 Request Approval of the Public Education Agreement – Morgran Company (Morgran) **(Moved to Nonconsent #7)**
- 8.8 Request Approval of the Public Education Agreement – Nicolas E. Andreyev (Palmetto Ridge) **(Moved to Nonconsent #8)**
- 8.9 Request Approval of the Public Education Agreement – Pulte Home Corporation (Lake George)
- 8.10 Request Approval for Payment of 2003-2004 Florida Association of District School Superintendents/Florida Association of School Administrators (FADSS/FASA) Dues
- Approve Construction Related Issues *(Legally Required By Law)*
- 9.1 Request Approval of the Certificate of Final Inspection for the Immediate Needs Project at Apopka Middle School

9.2 Request Approval of Construction Manager at Risk for Roofing Project at University High School

Approve Change Orders (none) (Board Policy EL11/Legally Require Board Action)

Approve Legal Issues

11.1 Request Approval of Direction Regarding Desegregation (**Correction**)

11.2 Request Approval of The Contract Between Orange County School Board and Secure Communications, Inc.

Accept Superintendent's Monitoring Reports

In regard to 2.2 (Request Approval of the Expulsion of Students in Conjunction With the Waivers of Out-of-School Student Expulsion and The District Behavior Contracts), Marita Sanchez, 1024 Jordan Avenue, Orlando, Florida, 32809 addressed the board regarding the recommendation for expulsion of her son.

At the request of the superintendent, Dr. Roy Brooks, area superintendent, South Learning Community, presented background information on the case.

Mr. Kruppenbacher recommended that this item be tabled since Mrs. Sanchez was suggesting that there was new evidence.

It was moved by Mr. Shea and seconded by Mrs. Ardaman that the request of approval of the expulsion of student OG in conjunction with the waivers of out-of-school student expulsion and the district behavior contracts be tabled.

The motion passed unanimously.

In regard to 4.3 (Request Approval of a Resolution Proclaiming April 28-May 2, 2003, as National Charter Schools Week), Veronica DeNoia, 9101 Pales Verde Drive, Orlando, Florida, addressed the board on behalf of the Orange County Charter Schools Administrators regarding the National Charter Schools Week.

In regard to 4.2 (Request Approval of the Delay of the Opening of KOTA Charter School Until the 2004-2005 School Year), Nick Constantine, 87 N. Winter Park Drive, Casselberry, Florida, 32707, addressed the board regarding the implementation of the first four-day charter high school in 2004.

The motion to approve the consent agenda passed unanimously.

Highlights from Board Members on the Consent Agenda: Mr Carrier stated that with the adoption of tonight's agenda, construction and rebuilding of schools will proceed in both his district and Mrs. Ardaman's district.

Mrs. Ardaman seconded Mr. Carrier's thoughts and thanked staff for their efforts in moving this process along.

Mr. Roach stated that he was glad to see the expansion of the physical education program under the Carol M. White Physical Education Program Grant.

Highlights from the Superintendent on the Consent Agenda: Mr. Blocker stated the recommendations developed by the Marching Band Review Committee had been distributed to

board members and if they had any questions, staff was available to assist them.

Nonconsent #1 – Approve Minutes – April 1, 2003 Work Session: It was moved by Mrs. Arkin and seconded by Mr. Carrier that the minutes be approved.

The motion passed unanimously.

Nonconsent #2 – Approve Minutes – April 1, 2003 Joint Work Session: It was moved by Mrs. Arkin and seconded by Mrs. Cadle that the minutes be approved.

The motion passed unanimously.

Nonconsent #3 – Approve Minutes – April 14, 2003 Work Session: It was moved by Mrs. Arkin and seconded by Mrs. Cadle that the minutes be approved.

The motion passed unanimously 7-0.

Nonconsent #4 – Approve Minutes – April 15, 2003 Work Session: It was moved by Mr. Carrier and seconded by Mrs. Arkin that the minutes be approved.

The motion passed unanimously.

Nonconsent #5 – Approve Minutes – April 15, 2003 Board Meeting: Mr. Shea requested that on page 96, of the minutes be corrected to read “the minutes be corrected to include the words.” Also on page 97, he requested that the minutes be corrected to read “This action by the Orange County School Board would not be interpreted as an opinion as to the constitutionality of the charter schools review process or as a waiver of any of the Orange County School Board’s rights...”

It was moved by Mr. Shea and seconded by Mrs. Cadle that the minutes as corrected be approved.

The motion passed unanimously.

Nonconsent #6 – 8.2 (Request Approval of Public Education Agreement – Wetherbee Acres LTD and Charles A. Long, Jr. and Elizabeth A. Long): It was moved by Mrs. Ardaman and seconded by Mr. Carrier that 8.2 (Nonconsent #6), 8.7 (Nonconsent #7) and 8.8 (Nonconsent #8) be approved with the following adjustment--the revenue credit used to establish the required donation be adjusted to reflect a 1.5 mill ad valorem tax rather than 2.0 mill.

There was discussion by board members, Dr. Henry Boekhoff, and Mr. Kruppenbacher.

In regard to Nonconsent #6, Marion Skilling, 1918 Woodward Street, Orlando, FL 32803, requested that the board move forward at this time.

Duke Woodson, 111 N. Orange Avenue, Orlando, FL 32801, from the law firm of Foley and Lardner, requested that the board approve Nonconsent #7 (Public Education Agreement – Morgran Company (Morgran)).

John Kirby, P.O. Box 770669, Winter Garden, FL 34777, requested that the board approve

Nonconsent #8 (Public Education Agreement – Nicholas E. Andreyev (Palmetto Ridge)).

The amendment failed 5-2.

It was moved by Mrs. Arkin and seconded by Mrs. Ardaman that the public education agreement –Wetherbee Acres LTD and Charles A. Long, Jr. and Elizabeth A. Long be approved.

The motion passed unanimously.

Nonconsent #7 – Item 8.7 Request Approval of the Public Education Agreement – Morgran Company (Morgran): It was moved by Mrs. Ardaman and seconded by Mr. Carrier that 8.2 (Nonconsent #6), 8.7 (Nonconsent #7) and 8.8 (Nonconsent #8) be approved with the following adjustment--the revenue credit used to establish the required donation be adjusted to reflect a 1.5 mill ad valorem tax rather than 2.0 mill.

The amendment failed 2-4 (with Mrs. Arkin abstaining because her husband is a partner with the law firm (Foley and Lardner) representing the Morgran Company.

It was moved by Mrs. Ardaman and seconded by Mr. Shea that the public education agreement—Morgran Company (Morgran) be approved.

The motion passed 6-0 (with Mrs. Arkin abstaining).

Nonconsent #8 – Item 8.8 Request Approval of the Public Education Agreement – Nicolas E. Andreyev (Palmetto Ridge): It was moved by Mr. Shea and seconded by Mrs. Gordon that the public education agreement-Nicolas E. Andreyev (Palmetto Ridge) be approved.

The motion passed unanimously.

There was discussion by board members, Henry Boekhoff and Mr. Kruppenbacher.

Statement of Policy Level Issues the Board Would Like to Agenda for Subsequent Meetings or Work Sessions: Mrs. Cadle stated that the board needed to move on a method to direct staff more efficiently. She also requested to hear discussion on giving COVE an answer on prototype size and the K-8 model.

Mrs. Ardaman stated she had sent the board members information regarding treatment of students. She will be working with the superintendent and Mr. Kruppenbacher to develop language that will be brought to the board.

Mrs. Gordon requested that the district take a closer look at partnerships with schools and possibility of extending partnerships.

There was discussion by board members, the superintendent and staff members.

Mrs. Arkin inquired as to whether an invitation had been sent out to elected officials from other governments to attend the mitigation meeting. Mr. Roach stated that a letter of invitation was sent to the mayors. Mrs. Arkin felt this was confusing and shared her concern that she was not aware that the direction the board had talked about had been changed.

Mrs. Gordon requested that more minorities be invited to the mitigation work session.

There was discussion by board members.

It was moved by Mrs. Cadle and seconded by Mrs. Gordon that the No Child Left Behind Work Session be moved to May 12, 2003 at 3:30 p.m.

The motion passed unanimously.

Information and Future Meeting Dates - Superintendent:

Mr. Blocker announced the following upcoming meetings:

May 1, 2003	3:30 p.m.	Work Session (Budget)
May 5 & 6, 2003		Board Retreat
May 8, 2003	3:30 p.m.	Work Session (Capacity Enhancement)
May 12, 2003	3:30 p.m.	Work Session (No Child Left Behind)
May 13, 2003	3:30 p.m.	Work Session (Board Issues)
May 13, 2003	5:30 p.m.	Board Meeting

Reports by Attorneys: Mr. Kruppenbacher reminded the superintendent to schedule a work session on the M/WBE policy.

The meeting recessed to Conference Room A & B at 10:00 p.m. for a debriefing session and adjournment.

Chairman

Secretary

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